

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SB384)**

Received: 01/23/2002

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Corrections 6-5820

By/Representing: Shelley Hagan

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: Children - juvenile justice

Extra Copies:

Submit via email: YES

Requester's email: shelley.hagan@doc.state.wi.us ✓

Carbon copy (CC:) to: robert.margolies@doc.state.wi.us ✓

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Age at which juvenile may be placed in adult prison

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 01/23/2002	hhagen 01/24/2002					
/1			jfrantze 01/24/2002		lrb_docadmin 01/24/2002	lrb_docadmin 01/24/2002	

→ see attached

01/24/2002 01:00:18 PM

Page 2

***LRBa1145***

FE Sent For:

**<END>**

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SB384)**

Received: **01/23/2002**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Corrections 6-5820**

By/Representing: **Shelley Hagan**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice**

Extra Copies:

Submit via email: **YES**

Requester's email: **shelley.hagan@doc.state.wi.us**

Carbon copy (CC:) to: **robert.margolles@doc.state.wi.us**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Age at which juvenile may be placed in adult prison

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?	malaigm	1.1 hmh 1/24/02					
----	---------	--------------------	--	--	--	--	--

FE Sent For:

<END>

## Malaise, Gordon

---

**From:** Hagan, Shelley M. DOC  
**Sent:** Wednesday, January 23, 2002 3:04 PM  
**To:** Malaise, Gordon  
**Cc:** Margolies, Robert S. DOC  
**Subject:** SB 384

Hi Gordon,

At the conclusion of today's Senate committee hearing on 01 SB 384, Senator Jauch asked DOC to request you to draft an amendment to the bill. The amendment would address the concerns expressed by the WI Council on Children and Families about the change in age of prison entry/transfer proposed in the bill. WCCF submitted written testimony opposing the idea of more 15-year-olds going to prison. DOC (Silvia) testified DOC wouldn't oppose a return to current law. Since the age issue seemed to be the only hang-up with the bill, the committee asked for an amendment to deal with it, so the rest of the bill could go forward.

So, DOC is asking you to draft an amendment to the bill to remove the age-related changes in Sections 1, 8 and 23, and leave the ages as they are in current law. Please e-mail it to me when drafted. The committee staff asked us to get WCCF's review of the amendment before it would be sent to the committee for consideration. It's my understanding Sen. Jauch plans a paper vote on the amendment and executive action at that point.

Please let me know if the above request is sufficient for you to proceed. Thanks so much for your help.

-Shelley

2001

Date (time)  
needed

soon

LRBa

1145, 1

AMENDMENT

DATE

GMM: hnh: \_\_\_\_\_

See form AMENDMENTS — COMPONENTS & ITEMS.

S A [AMENDMENT]

TO ~~S A~~ AMENDMENT \_\_\_\_\_ (LRBa / ),

TO ~~S A~~ SUBSTITUTE AMENDMENT \_\_\_\_\_ (LRBs / ),

TO 2001 SB ~~SJR SR AB AJR AR~~ 384 (LRB- / )

At the locations indicated, amend the bill as follows:

(fill ONLY if "engrossed ...." or "as shown by .....")

#. Page 1..., line 9...: delete "permitting a juvenile who".

#. Page 1..., line 10...: delete that line.

#. Page 1..., line 11...: delete "15 years of age".

#. Page 4..., line 5...: delete "17 15" and  
substitute "17".

#. Page 6..., line 6...: delete "under 15 years of age".

✓ ✓ ✓  
# Page 6, line 9: delete "~~15~~" and  
substitute ~~15~~ "17".

✓  
# Page 12, line 23: delete lines 23 and 24.

✓ ✓  
# Page 13, line 1: delete lines 1 to 17.

✓  
# Page 13, line 25: delete "further respect to  
transfer of a"

✓  
# Page 14, line 1: delete ~~parent~~ that line  
and substitute ", 938.357(4)(d),".

✓ ✓  
# Page 14, line 6: delete lines 6 to 9.

(End)

D-NOTE

Date

att:sl  
GMM:hnh

This amendment deletes the provisions of the bill relating to the age at which a juvenile may be placed in an adult prison, thereby restoring the

~~INCONSISTENCIES~~

inconsistencies in current law between ~~ss.~~ <sup>ss.</sup> 48.366 (8), 302.18 (7), 939.183 (3), and 973.013 (3m). Is there

any chance that DOC and the Wisconsin Council ~~of~~ <sup>on</sup> Children and Families could agree ~~that~~ <sup>on</sup> a different age at which a juvenile ~~can~~ may be placed in an adult prison, for example, 16 or 17?

GMM

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1145/1dn  
GMM:hmhjf

January 24, 2002

This amendment deletes the provisions of the bill relating to the age at which a juvenile may be placed in an adult prison, thereby restoring the inconsistencies in current law between ss. 48.366 (8), 302.18 (7), 938.183 (3), and 973.013 (3m). Is there any chance that DOC and the Wisconsin Council on Children and Families could agree on a different age at which a juvenile may be placed in an adult prison, for example, 16 or 17?

Gordon M. Malaise  
Senior Legislative Attorney  
Phone: (608) 266-9738  
E-mail: [gordon.malaise@legis.state.wi.us](mailto:gordon.malaise@legis.state.wi.us)

**Emery, Lynn**

---

**From:** Emery, Lynn  
**Sent:** Thursday, January 24, 2002 1:03 PM  
**To:** Hagan, Shelley M. DOC  
**Cc:** Margolies, Robert S. DOC  
**Subject:** LRBa1145/1 & 1dn (attached from GMM)

**Lynn Emery**

Lynn Emery - Program Asst. (PH. 608-266-3561)  
(E-Mail: [lynn.emery@legis.state.wi.us](mailto:lynn.emery@legis.state.wi.us)) (FAX: 608-264-6948)

Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

1/24/2002

**Barman, Mike**

---

**From:** Malaise, Gordon  
**Sent:** Friday, January 25, 2002 2:36 PM  
**To:** Barman, Mike  
**Subject:** FW: LRBa1145/1 & 1dn (attached from GMM)

Mike:

DOC would like us to send the original of LRBa1145/1 to Dave Jahr in Sen. Jauch's office.

Gordon

-----Original Message-----

**From:** Margolies, Robert S. DOC  
**Sent:** Friday, January 25, 2002 1:58 PM  
**To:** Malaise, Gordon  
**Cc:** Hagan, Shelley M. DOC; Jahr, Dave  
**Subject:** FW: LRBa1145/1 & 1dn (attached from GMM)

Gordon:

Can the LRB send the original amendment to Dave Jahr in Senator Jauch's office. Thank you.

Bob

-----Original Message-----

**From:** Hagan, Shelley M. DOC  
**Sent:** Friday, January 25, 2002 1:48 PM  
**To:** Margolies, Robert S. DOC  
**Cc:** Malaise, Gordon  
**Subject:** RE: LRBa1145/1 & 1dn (attached from GMM)

The draft is fine from the Division's perspective. Lisa Maroney of WCCF just called me to express her support of it also. WCCF will communicate directly with the Senate committee as to their support for the bill with the amendment. I assume it will proceed as outlined by Senator Jauch, with a paper vote by the committee on the amendment and executive action on the amended bill.

Thanks!

Shelley

-----Original Message-----

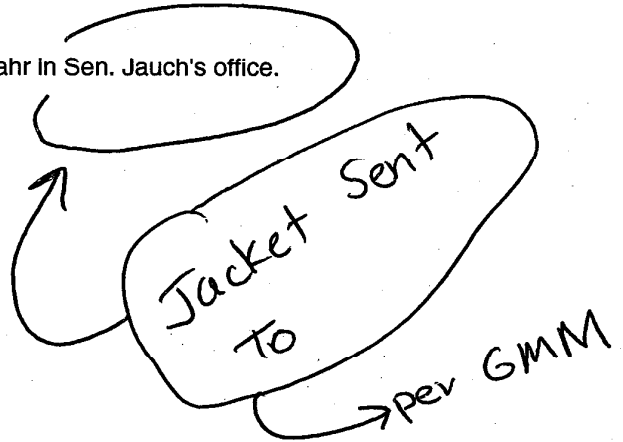
**From:** Emery, Lynn  
**Sent:** Thursday, January 24, 2002 1:03 PM  
**To:** Hagan, Shelley M. DOC  
**Cc:** Margolies, Robert S. DOC  
**Subject:** LRBa1145/1 & 1dn (attached from GMM)

PDF Attachment

Lynn Emery

Lynn Emery - Program Asst. (PH. 608-266-3561)  
(E-Mail: lynn.emery@legis.state.wi.us) (FAX: 608-264-6948)

01/25/2002



---

Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

01/25/2002

---